

## **In the United States Patent and Trademark Office**

Applicants: Hans-Georg Capraro et al.

Appl. No.: 10/579,876

Filing Date: 2/2/2007

For: 1H-Imidazo[4,5-C]Quinoline Derivatives  
in the Treatment of Protein Kinase Dependent  
Diseases

Confirmation No.: 3789

Examiner: Rita J Desai

Art Unit: 1625

Attorney Docket No.: 093286-0170

### **RESPONSE TO RESTRICTION AND ELECTION OF SPECIES REQUIREMENTS**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

In response to the restriction requirement set forth in the Office Action mailed March 10, 2010, Applicants hereby provisionally elect Group I, claims 1-5, and 9-11, drawn to compounds and pharmaceutical compositions of the formula Ia and Ib wherein R7 is a H, R3 is a pyridyl, and R1 is a phenyl. Claims 1-5 and 9-11 are generic.

Applicants also provisionally elect the single disclosed species of Example 4, 2-[4-(8-pyridin-3-ylethynyl-imidazo[4,5-c]quinolin-1-yl)-phenyl]-ethylamine. Claims 1-4, and 9-11 read on this species. Claims 1-4 and 9-11 are generic with respect to the elected species.

These elections are made with traverse and without prejudice to or disclaimer of the other claims or inventions disclosed. Applicants reserve the right to file one or more divisional applications covering the subject matter of the non-elected Groups.

Finally, Applicants note that they are entitled to rejoinder of non-elected subject matter, *inter alia*, in accordance with the provisions of MPEP §821.04(b) and hereby request same.

Although no fees are believed to be due in connection with this submission, the Commissioner is hereby authorized to charge any fees, which may be required regarding this application or credit any overpayment, to Deposit Account No. 50-5071. Should no proper

payment be enclosed herewith, as by the credit card payment instructions in EFS-Web being incorrect or absent, resulting in a rejected or incorrect credit card transaction, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 50-5071.

If any extensions of time are needed for timely acceptance of papers submitted herewith, Applicants hereby petition for such extension under 37 C.F.R. §1.136 and authorizes payment of any such extension fees to Deposit Account No. 50-5071.

Respectfully submitted,

Date: April 12, 2010

By: /Paul D. Strain/

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